

## **REMARKS/ARGUMENTS**

In response to the above identified Office Action, Applicants respectfully request reconsideration in view of the aforementioned amendment and the following remarks.

Applicants submit additional claims 25-26 which are supported at least at paragraphs 56, 63 and 69 of the application as filed.

### **I. Claims Rejected Under 35 U.S.C §102(b)**

A. Examiner rejects to claims 6-7 and 9-12 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,490,874 issued to Chu ("Chu"). It is axiomatic that to be anticipated every limitation of a claim must be disclosed in a single reference.

Applicants disagree with the rejection above of claim 6 for at least the reason that the reference does not disclose "determining a presence of a threshold amount of fluid that is within a pump or a compressor; and condensing vapor of the fluid as it is present in the pump or evaporating liquid of the fluid as it is present in the compressor", as required by claim 6.

Chu describes dew point sensor 121 sensing inside of electronics compartment 172 and recuperative environmental conditioning unit (RECU) 100 to cool air thereby causing condensation of water vapor from the air, then heat the dehumidified air and return the heated dehumidified air to electronics compartment 172 (see Abstract and Figure 1B). Thus, Chu describes determining a presence of humidity within compartment 172, but condensing vapor as it is present in inlet side 103 of closed loop conduit 102, such as using normally cold heat exchanger 164 (see col. 6, lines 44-58; col. 8, lines 54-67; and Figures 1B and 1C).

Embodiments described in the specification of the present application, without limitation thereto, describes determining a presence of a threshold amount of fluid within pump 110 or compressor 210; and condensing vapor of the fluid as it is present in pump 110 or evaporating liquid of the fluid as it is present in compressor 210 (see Figures 1 and 2 of the application). However, Chu requires detecting moisture within electronics compartment 172, flowing air through closed loop conduit 102 to condense vapor as it is present within conduit 102, and then

(baffle 101) causing the air to exit closed loop conduit 102 and circulate through electronics compartment 172 prior to reentering closed loop conduit 102 (see col. 6, lines 34-43 and Figure 1B). Air moving device 106 cause air to flow from electronics compartment 172 through inlet port 111 of closed loop conduit 102 (see col. 8, lines 63-65 and Figure 1B). Baffle 101 causes the air to exit closed loop conduit 102 and circulate through electronics compartment 172 prior to reentering closed loop conduit 102 (see col. 6, lines 34-43 and Figure 1B). Also, inlet door 109 and outlet door 110 can be used to eliminate airflow between electronics compartment 172 and closed loop conduit 102 (see col. 10, lines 3-24 and Figure 1C).

Consequently, the Patent Office has not identified and Applicants are unable to find any disclosure in Chu of determining a presence of a threshold amount of fluid that is within a pump or a compressor; and condensing vapor of the fluid as it is present in the pump or evaporating liquid of the fluid as it is present in the compressor, as required by claim 6.

Hence, for at least this reason, Applicants respectfully request the Patent Office withdraw the rejection above of claims 6-7 and 9-12.

In addition to being dependent on allowable base claim 6, Applicants disagree with the rejection above of claim 11 for at least the reason that the reference does not disclose applying power to the pump or compressor after condensing vapor or evaporating liquid as required by claim 11.

Chu describes removing air from an enclosure, cooling the air thereby causing condensation of water vapor from the air, then heating the dehumidified air and returning the heated and dehumidified air to the enclosure (see Abstract). Specifically, Chu teaches that in order to operate recuperative environmental conditioning unit (RECU) it is required that air flow communication occur between electronics compartment 172 and of closed loop conduit 102 (see Figure 1B and col. 6, lines 44-59). The air flow is caused by air moving device 106 (see col. 6, lines 60-65) which is powered during operation of RECU 100 (see col. 8, lines 42-55). More particularly, Chu describes that air moving device 106 causes air to flow from electronics compartment 172 through inlet port 111 of closed loop conduit 102 (see col. 8, lines 63-65 and Figure 1B).

Consequently, the Patent Office has not identified and Applicants are unable to find any disclosure in Chu of applying power to the pump or compressor after condensing vapor or evaporating liquid as required by claim 11.

Hence, Applicants respectfully request the Patent Office withdraw the rejection above for claim 11 for this additional reason.

Any dependent claims not mentioned above are submitted as not being anticipated or obvious, for at least the same reasons given above in support of their base claims.

## **II. Additional Claims 25-26**

Applicants submit additional 25-26 are allowable for at least the reasons described above in support of their base claim, in addition to other limitations of claims 25 and 26.

In addition, by including condensing or evaporating prior to powering on a pump or compressor, embodiments described in the specification of the present application, for example, without limitation thereto, provide the benefits of overcoming the problems generally associated with the orientation of pumps or compressors within a system (see paragraphs 56 and 63 of the application). However, Chu does not describe any of these benefits.

## CONCLUSION

In view of the foregoing, it is submitted that claims 6, 7, 9-12, 25 and 26 patentably define the subject invention over the cited references of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If the Examiner believes a telephone conference would be useful in moving the case forward, he is encouraged to contact the undersigned at (310) 207-3800.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly, extension of time fees.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR, & ZAFMAN LLP

Dated: December 28, 2007

By: \_\_\_\_\_

Angelo Gaz, Reg. No. 45,907

1279 Oakmead Parkway  
Sunnyvale, California 94085-4040  
Telephone (310) 207-3800  
Facsimile (408) 720-8383

### **CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail with sufficient postage in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia 22313-1450 on December 28, 2007.

Lori A. Ciccio